

**IN THE CLAIMS:**

The text of all pending claims, is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered). Please AMEND claims 3 and 4 in accordance with the following:

1. (Original) An internal combustion engine exhaust gas purifying system having a continuous regenerating diesel particulate filter system on the exhaust passage of an internal combustion engine to oxidize and remove collected particulate matter by performing the regenerating-mode operation when the quantity of collected particulate matter in a filter of the filter system for collecting the particulate matter becomes a predetermined judgment value or more, comprising:

collected-quantity estimation means for estimating the quantity of collected particulate matter in the filter; and

maximum-fuel-injection-quantity restricting means for restricting the maximum fuel injection quantity of the internal combustion engine when the quantity of collected particulate matter estimated by the collected-quantity estimation means is the predetermined judgment value or more.

2. (Original) The internal combustion engine exhaust gas purifying system according to claim 1, wherein

fuel restriction indicating means is included which indicates restriction of the maximum fuel injection quantity of an internal combustion engine when or while the maximum-fuel-injection-quantity restricting means restricts the maximum fuel injection quantity.

3. (Currently Amended) The internal combustion engine exhaust gas purifying system according to claim 1 ~~or 2~~, wherein

the collected-quantity estimation means estimates the quantity of collected particulate matter in accordance with the differential pressure between the upstream and downstream of the filter.

4. (Currently Amended) The internal combustion engine exhaust gas purifying system according to ~~any one of claims 1 to 3~~ claim 1, wherein

the continuous regenerating diesel particulate filter system uses one of the following three systems: a system constituted by making the filter carrying a catalyst, a system constituted by setting an oxidation catalyst to the upstream side of the filter, and a system constituted by making the filter carrying a catalyst and setting an oxidation catalyst to the upstream side of the filter.